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LETTER DATED 27 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF EGYPT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government and with reference to the letter dated 19 August 1990 from the Permanent Representative of Iraq contained in document S/21569, which conveys the comments of the Iraqi Government regarding the resolution adopted by the Extraordinary Arab Summit Conference held at Cairo on 10 August 1990, I have the honour to make the following observations:

1. Article 8 of the Pact of the League of Arab States stipulates that:

> "Every member State of the League shall respect the form of Government obtaining in the other States of the League, and shall recognize the form of government obtaining as one of the rights of those States, and shall pledge itself not to take any action tending to change that form."

By virtue of its invasion of the State of Kuwait, Iraq has contravened the Pact of the League of Arab States and has, moreover, violated all rules of international law and custom.

2. Since the crisis was precipitated, Egypt's position has been that there is a need for co-operation among all Arab States in order to avoid the aggravation of inter-Arab differences, and that position is exemplified in its firmly established belief that it is incumbent upon the Arab States themselves to endeavour to contain the crisis and prevent its internationalization.

3. On this premiss, and while all of us had been hoping that matters would not reach such a pass, Mr. Muhammad Hosni Mubarak, President of the Arab Republic of Egypt, invited Heads of State and Government to hold an emergency Arab summit conference at Cairo in order to examine the situation and endeavour to contain the crisis. All of the Arab States accepted that invitation with the exception of one, namely Tunisia. The Extraordinary Arab Summit Conference was then held at Cairo within 24 hours of the invitation being issued, that is to say on 10 August 1990. It was attended by all the members of the League of Arab States but one, with preparations being made by the secretariat of the League and with the participation of its Secretary-General.

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4. Ten States presented a draft resolution on the situation arising out of Iraq's occupation of the State of Kuwait and Iraqi threats against the Kingdom of Saudi Arabia. They requested a vote and, in the absence of any other proposals that had the support of Heads of State, a vote was held on the draft resolution presented. It received a majority of 12 votes, with 2 negative votes and the abstention of the remainder.

5. The Extraordinary Arab Summit Conference adopted its resolution by a majority following two days of deliberations and contacts among Kings and Presidents and after a number of meetings held by them in an attempt to contain the grave situation arising out of the Iraqi invasion and annexation of Kuwait. In the course of the Conference, a variety of approaches to addressing the situation took shape, although all of them stemmed from a collective feeling of the wrongfulness of the Iraqi policy of threatening the security and integrity of neighbouring States, that the invasion of Kuwait by Iraq was unacceptable to all Arab States and that it was essential to restore Kuwaiti legitimacy.

6. The resolution does not embrace any well defined collective measures to be taken under the flag of the League of Arab States. The resolution did not require the establishment of a multinational Arab force. The paragraph in question of the Arab Summit resolution merely reads:

> "To comply with the request of the Kingdom of Saudi Arabia and the other Arab States of the Gulf that Arab forces should be deployed to assist their armed forces in defending their soil and territorial integrity against any external aggression".

7. It is clear from the foregoing that the dispatch of Arab forces falls within a bilateral context for those Arab States desiring to send forces in response to the request of the Kingdom of Saudi Arabia. Such measures do not therefore invoke the applicability of article 6 of the Pact, which requires a unanimous decision for adoption, but only fall within the context of article 7, which requires merely a majority vote that is binding only on those that accept such decisions.

8. Resolution 195, adopted by the Extraordinary Arab Summit Conference on 10 August 1990, reaffirms commitment to Security Council resolutions 660 (1990) of 2 August 1990, 661 (1990) of 6 August 1990 and 662 (1990) of 9 August 1990 as embodying international legitimacy. The resolution adopted by the Arab Summit Conference is in full conformity with the international consensus condemning Iraqi aggression against the fraternal State of Kuwait and accords with the resolutions adopted by the Organization of the Islamic Conference and the Movement of Non-Aligned Countries, in each of which Egypt is proud to be a member and to whose principles it adheres.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Amre MOUSSA
Ambassador
Permanent Representative